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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,065	12/21/2000	Takahiro Kimoto	072982/0213	5469

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FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

LEE, RICHARD J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/741,065	Applicant(s) KIMOTO, TAKAHIRO	
	Examiner Richard Lee	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-60 is/are allowed.
- 6) ☒ Claim(s) 61-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The request filed on October 28, 2004 for a Request for Continued Examination (RCE) is acceptable and a RCE has been established. An action on the RCE follows.

2. The applicant's arguments from the amendment filed September 17, 2004 have been noted and considered, but are deemed moot in view of the following new grounds of rejections.

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 61-66 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The particular features of "judging means for judging whether each of said plurality of decoded block data units to which said error portion corresponds is decoded normally or not; and error concealing means for error concealing said decoded block data units judged by said judging means if said decoded block data units are judged not to be decoded normally" as claimed in claim 61; "judging whether each of said plurality of decoded block data units to which said error portion corresponds is decoded normally or not; and error concealing said decoded block data units judged by said judging step if said decoded block data units are judged not to be decoded normally" as claimed in claims 62 and 63, respectively; "judging means for judging whether said region to which said error portion corresponds is decoded normally or not; and error concealing means for error concealing said region to which said error portion corresponds if said region to

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which said error portion corresponds is judged not to be decoded normally” as claimed in claim 64; and “judging whether said region to which said error portion corresponds is decoded normally or not; and error concealing said region to which said error portion corresponds if said region to which said error portion corresponds is judged not to be decoded normally” as claimed in claims 65 and 66, respectively, are not supported by the Specification.

As best understood by the Examiner, the Specification discloses at most with respect to Figure 3 of the drawings, for example, a video decoding device wherein error detection section 101 receives a coded video signal and judges whether or not an error has occurred to each packet, and sends a judgment signal 1002 and packet 1001 to the packet partitioning section (see pages 20-21 of the Specification). The packet partitioning section 102 sends address signals 1004 indicating addresses of blocks to which errors might have occurred to the first invalid block judgment section 104 (see page 21 of the Specification). The first invalid block judgment section 104 judges whether or not each block that has been stored in the frame memory 107 of the video decoding section 103 and that is designated by the address signal 1004 is an invalid block and sends a judgment signal 1011 indicating the result of the judgment to the first invalid block concealment section 105 (see page 21 of the Specification). The first invalid block concealment section 105 then conducts a concealment process with regard to the blocks that have been stored in the frame memory 107 and that have been designated as invalid blocks by the judgment signal 1011 supplied from the first invalid block judgment section 104 (see pages 21-22 of the Specification). The second invalid block concealment section 108 receives an address signal 1007 indicating addresses of invalid blocks from the block data decoding section 106 and conducts concealment processes with regard to the blocks that have been stored in the frame

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memory and that have been designated as invalid blocks by the address signal 1007 supplied from the block data decoding section 106, wherein the block data decoding section 106 judges that a block is invalid when the coded block data unit of the block is irregular data and the coded block data unit can not be decoded normally (see pages 22-23 of the Specification). It is therefore clear from these passages within the Specification that support is lacking for the judging means/steps and error concealing means/steps specifics as claimed in claims 61-66.

It is noted that the applicant at page 29 of the amendment filed September 17, 2004 indicates that page 27, lines 27-30 of the Specification provides adequate support for claims 61-63. The Examiner however disagrees for the following reasons. Page 27, lines 27-30 of the Specification teaches that “an invalid block judgment process is limited to the blocks in which errors might have occurred, that is blocks which were contained in the packets in which errors have been detected by the error detection section”. The applicant somehow draws the conclusion from this passage that “Thus, an error detection section first detection section first detects whether or not a packet (and thus the coded block data units making up the packet) has an error in it. If there is an error in the packet, then each of the coded block data units making up the error-detected packet, after being decoded into decoded block data units, are checked to determine if any of those decoded block data units have been decoded normally or not. If any of those decoded block data units of the error detected packet have not been decoded normally, then an error concealing operation is performed on those improperly decoded block data units (of the error-detected packet)”. Though the error detection section detects an error in the packet, it is submitted that there is however no teaching in the Specification of the judging means for judging

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whether each of the plurality of decoded block data units to which the error portion corresponds is decoded normally or not, as claimed.

5. Claims 1-60 are allowed.
6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.



RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl

2/4/05

